

### **REMARKS**

In view of the above amendments, Applicant believes the pending application is in condition for allowance.

Claims 1-5, 9-16 and 20-23 are now present in this application. Claims 1, 12, 16, 21 and 22 are independent.

Amendments have been made to claim 1. Claims 6-8 and 17-19 have been canceled and new claims 20-23 have been added. Reconsideration of this application, as amended, is respectfully requested.

### **Priority Under 35 U.S.C. § 119**

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

### **Information Disclosure Citation**

Applicant thanks the Examiner for considering the references supplied with the Information Disclosure Statement filed October 12, 2005, and for providing Applicant with an initialed copy of the PTO-SB08 form filed therewith.

### **Drawings**

Since no objection has been received, Applicant assumes that the drawings are acceptable and that no further action is necessary. Confirmation thereof in the next Office Action is respectfully requested.

### **Rejections Under 35 U.S.C. § 102 and § 103**

Claims 1, 3, 4, 10, 11 and 17-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Cowley et al. Claims 2, 5 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cowley et al. Further, claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cowley et al. in view of Petrov et al. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

With regard to the rejections of claims 1, 2-5, 7 and 9-11, while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that independent claim 1 has been amended to include most of the limitations of objected-to allowable claim 6, thereby placing independent claim 1 into condition for allowance, along with dependent claims 2-5, 7 and 9-11.

Additionally, while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that claims 7 and 17-19 have been cancelled, thus rendering those parts of the rejections under 35 U.S.C. § 102(a) and § 103 moot.

Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

#### **Allowed and Allowable Subject Matter**

Applicant thanks the Examiner for indicating that claims 12-16 are allowed, and that claims 6 and 8 would be allowable if rewritten in independent form.

Objected-to claim 8 has been rewritten in independent form as new independent claim 21, and should therefore be allowed. In addition, most of objected-to claim 6 has been added into independent claim 1, and therefore independent claim 1 should be allowed.

#### **New Claims**

Claims 20-23 have been added for the Examiner's consideration.

Applicant submits that claim 20 depends directly from independent claim 1, and is therefore allowable based on its dependence from claim 1 which is believed to be allowable.

Independent claim 21 is objected-to allowable claim 8 rewritten into independent form and should therefore be allowed.

Independent claim 22 recites a combination of elements in a digital tuner including a splitter for splitting a received RF (radio frequency) signal into several RF signal outputs, an IB (in-band) IF (intermediate frequency) unit for converting an IB signal of the RF signal output

into an IB IF signal, an OOB (out-of-band) IF unit for converting an OOB signal of the RF signal output into an OOB IF signal, wherein the OOB IF unit comprises, an OOB mixer for mixing a signal received through the splitter and an oscillation frequency signal received from an outside into an OOB IF signal, an OOB IF filter for passing only a signal of a desired band out of the OOB IF signal outputted from the OOB mixer, and an OOB IF amplifier for amplifying an OOB IF signal outputted from the OOB IF filter into an OOB IF signal of a desired level. Applicant respectfully submits that this combination of elements as set forth in independent claim 21 is not disclosed or made obvious by the prior art of record.

Applicant submits that claim 23 depends directly from independent claim 22, and is therefore allowable based on its dependence from claim 22 which is believed to be allowable.

Consideration and allowance of claims 20-23 are respectfully requested.

#### **Additional Cited References**

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

#### **Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: May 27, 2008

Respectfully submitted,

By

  
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